

REMARKS

Claims 1, 3, 8-14, and 20 were pending in this application. With entry of this amendment, claims 1, 9, 10, and 13, are currently amended, claims 8, 12, and 14 are canceled, and claims 74-76 are added. No new matter has been added by this amendment.

In the Office Action dated March 28, 2006, the Office sets forth the following rejections:

- i) claims 1, 3, 8-14, and 20 were rejected under 35 U.S.C. § 112, second paragraph, for being indefinite for failing to particularly point out and distinctly claim the invention; and
- ii) claims 1, 3, 8-14, and 20 were rejected under 35 U.S.C. § 103(a) as allegedly obvious over Kaswan et al. (U.S. Patent No. 5,639,743) in view of Carrara (U.S. Patent No. 5,891,462) and the Merck Index (11th ed., 1989, Monograph 5103).

These rejections are respectfully traversed.

The Office rejected claims 1, 3, 8-14, and 20 under 35 U.S.C. § 112, second paragraph, for being indefinite for failing to particularly point out and distinctly claim the invention. Specifically, the Office provided that the limitation of “selected area or skin of the subject” rendered claim 1 indefinite. Applicant respectfully submits that the amendment to claim 1 now renders claim 1 definite. As such, reconsideration and withdrawal of this rejection is respectfully requested.

The Office also rejected claims 1, 3, 8-14, and 20 as allegedly obvious under 35 U.S.C. § 103(a) over Kaswan et al. in view of Carrara and the Merck Index. However, Applicant respectfully disagrees with the Office’s rejection. Applicant therefore incorporates by reference the arguments raised in its response dated February 24, 2005 at pages 5-7.

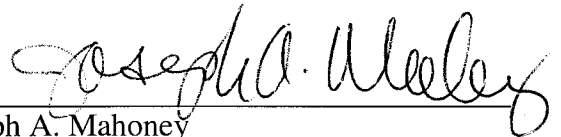
Nevertheless, the Applicant has amended the claims with this Response and respectfully submits that the amendments to claim 1 overcome the Office’s rejection as Kaswan et al. in view of Carrara and the Merck Index do not teach or suggest a method for treating a menopause disorder comprising a combination therapy of orally administering a first pharmaceutical composition comprising about 0.2 mg to about 50.0 mg of methyltestosterone as well as percutaneously administering a second pharmaceutical composition comprising about 0.1% to about 10% (w/w) estradiol, about 0.1% to about 5% (w/w) thickener, an alcohol, and water.

As set forth above, and in the Applicant’s response dated February 24, 2005 at pages 5-7, neither the combination of Kaswan et al. with Carrara and the Merck Index, nor any of the references individually, teach or suggests the present invention. Thus, reconsideration and

withdrawal of the rejection of the pending claims as allegedly obvious under 35 U.S.C. § 103(a) over Kaswan et al. in view of Carrara and the Merck Index is respectfully requested.

With entry of the above Amendment and in view of the foregoing Remarks, Applicant respectfully submits that the application is in condition for allowance and requests that a timely Notice of Allowance be issued in this application. None of Applicant's amendments are to be construed as dedicating any such subject matter to the public, and Applicant reserves all rights to pursue any such subject matter in this or a related patent application. If, in the opinion of the Examiner, a phone call may help to expedite prosecution of this application, the Examiner is invited to call Applicant's undersigned attorney at (312) 701-8979.

Respectfully submitted,



Joseph A. Mahoney
Registration No. 38,956

CUSTOMER NUMBER 26565
MAYER, BROWN, ROWE & MAW LLP
P.O. Box 2828
Chicago, IL 60690-2828
Telephone: (312) 701-8979
Facsimile: (312) 706-9000